



U.S. Department of Justice

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## **PRESS RELEASE**

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### **District Couple Sentenced For Obstructing Justice in 2009 Shooting Investigation**

WASHINGTON, D.C. – A 23-year-old District of Columbia man, Alton Smith, has been sentenced to 119 months in prison for obstructing justice in the government's investigation into a 2009 shooting of two young men, as well as crimes related to his use of a contraband cell phone while incarcerated at D.C. Jail, U.S. Attorney Ronald C. Machen Jr. announced today. The mother of Smith's children, Tela Thompson, has been sentenced to 42 months in prison for obstructing justice and committing multiple counts of perjury in the same case, as well as introducing contraband messages into D.C. Jail.

Both Smith and Thompson received their sentences on Friday, May 21, 2010, before Superior Court Judge Ann O'Regan Keary. On March 22, 2010, a Superior Court jury returned guilty verdicts against Smith on one count of obstructing justice and two counts of introducing contraband messages into a penal institution; the jury returned guilty verdicts against Thompson on all charges against her, including one count of obstructing justice, three counts of perjury, and one count of introducing contraband messages into a penal institution. Because the jury could not reach a unanimous verdict after two further days of deliberation, the Court declared a mistrial on the remaining counts against Smith, including a charge of Assault with Intent to Kill While Armed for committing the January 2009 shooting.

The government's evidence at trial showed that on January 21, 2009, shortly after 10 p.m., the victim had been at Smith's family's apartment with a companion, and argued with Smith. As the two men left the apartment and were walking away from that apartment building, at 1907 Maryland Ave, NE, two men walked up behind the victim and his friend and fired multiple gunshots at them. The victim and his companion ran and the victim immediately flagged down the police. Within minutes, police located Smith, Thompson and almost a dozen other family members and friends inside of Smith's apartment. Police also found a window screen in the apartment bent open, and recovered the handgun used in the shooting on the ground outside that window. Shortly after the shooting, the victim identified Smith as the person who he believed shot at him.

During the government's investigation, Smith was detained at D.C. jail. Within a week of his arrival at the jail, one of Smith's associates smuggled a cell phone into the prison for his use. Cell phones are illegal contraband in the D.C. jail because they allow inmates to make and receive calls without use of the inmate

phone system, which may be monitored by jail guards or police. Smith kept the phone hidden and charged, and worked with individuals outside the jail to ensure that he had sufficient credit to make calls. Smith made extensive use of the smuggled cell phone. Records showed that Smith made repeated calls to people who had witnessed significant events on the night of the shooting, including his co-defendant, Thompson. Smith's cell phone was eventually recovered from the jail by D.C. Department of Corrections officers, and its address book contained numbers for Thompson, Smith's family, friends, and lawyer, and for the victim of the shooting. Phone records introduced at trial listed thousands of calls between the smuggled cell phone and those numbers, including eight calls – totaling over 18 minutes – to the victim of the shooting, who had identified Smith.

The victim was a neighbor of the Smith family and, on the night of the shooting and in subsequent grand jury testimony made under oath, the victim identified Smith as the person who repeatedly shot at him. Because the victim lived near Smith, the government helped him move to a safer location after the crime. However, shortly after his appearance before the grand jury, the victim began receiving phone calls from Smith while Smith was housed at the D.C. Jail. Immediately after receiving those calls, the victim recanted his identification and tried to avoid testifying in the trial against Smith.

During the government's investigation, Thompson was subpoenaed to testify in the grand jury about the shooting. On the day she was scheduled to appear, however, she visited Smith in jail, and instead came to the grand jury the following day. In her testimony, she lied to the grand jury about her contact with Smith and his use of the cell phone in jail. She also provided Smith with a false alibi, claiming that she was in a bedroom with him at the time of the shooting. At trial, the jury convicted Thompson of perjury and obstruction of justice, finding that she made three false statements while under oath in the grand jury in an effort to obstruct the investigation into the shooting. The jury also convicted Thompson of the contraband message charge, finding that Thompson communicated with Smith on the contraband cell phone while he was in jail.

In announcing the sentencing, U.S. Attorney Machen commended the efforts of the Metropolitan Police Department officers who were involved in the investigation and prosecution of this case. Specifically, the U.S. Attorney commended the outstanding work of the following MPD officers: Detectives Hosam Nasr, Jonathan Clingerman, and Carter Adams who investigated the shooting and the obstruction of justice; Fifth District Officers Jeffrey Jones, Trevin Mercer, Adam Shaatal, Fabian Ferrera, Abraham Ben-Moshe, and Sgt. Doral Hamelin, who investigated the shooting; MPD Crime Scene Technician John Allie and Firearm Examiner Robert Freese; and Crime Scene Search Officers Nathaniel Davis, Holly Paige, and Kenneth Bryant. The U.S. Attorney further praised the outstanding work of the U.S. Marshal Service, who located the victim after he had been threatened and failed to appear for trial. U.S. Attorney Machen also cited the efforts of several members of his staff, including the Witness Security section of the Victim Witness Assistance Unit, especially Michael Hailey and Debra Cannon, who handled numerous witness security issues; Investigator Durand Odom, who recovered key evidence from the contraband cell phone; Litigation Support Services; paralegal Antoinette Sakamsa; and Assistant U.S. Attorney Alex Little, who investigated the case in the grand jury and presented the government's case at trial.